



STATE OF DELAWARE
JUSTICE OF THE PEACE COURT NO. 13
1010 CONCORD AVENUE
CONCORD PROFESSIONAL CENTER
WILMINGTON, DELAWARE 19802

TELEPHONE: (302) 577-2550

PLAINTIFF

A.I. Enterprise
c/o Lidia Ini
234 Philadelphia Pike, Suite 10
Wilmington, De. 19809

vs.

CIVIL ACTION: JP13-11-005733

DEFENDANTS

Naseer Ali-Bey
Heather Turner
243 N. DuPont Street
Wilmington, De. 19805

ORDER

This is a de novo appeal to a three-judge panel from a decision dated June 15, 2011. The panel heard the new trial on July 27, 2011. Plaintiff A. I. Enterprises was represented by Form 50 agent Lidia Ini. Defendant Naseer Ali-Bey was self-represented. Defendant Heather Turner was not present.

Plaintiff filed this action seeking unpaid rent and possession of a rental property known as 243 N. DuPont Street in Wilmington. According to the lease agreement that was presented, rent was \$645.00 per month. In addition to the lease, Plaintiff presented the following evidence: defendant's account ledger, water and sewer bill (\$212.73); City of Wilmington violation; three 5-day letters sent in April, May and June of 2011.

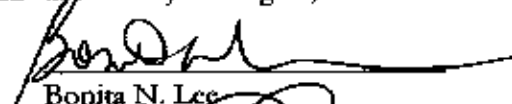
Plaintiff's testimony concerning unpaid rent for the month of June to present was corroborated by the documentary evidence. Defendant Ali-Bey disputed that he should be liable for the rent demanded and presented a counterclaim for a non-specific amount based on what he argues was a breach of contract and failure to fulfill fiduciary duty by the landlord. In support of the counterclaim, Defendant presented a UCC Financing Statement. However, Defendant was unable to persuade the Court that the document had any bearing on the summary possession case at bar.

After considering the testimony and evidence presented by both parties, the Court finds that the preponderance of evidence supports Plaintiff's claim for unpaid rent and possession. Therefore, final judgment is awarded in favor of Plaintiff A.I. Enterprises and against Defendant Naseer Ali-Bey in the amount of \$1,607.82 for unpaid rent and late fees,


(2)

\$41.50 court costs with possession to the landlord. Rent will continue at a per diem rate of \$21.67 until possession is returned to the landlord. The original judgment entered against Heather Turner stands.

IT IS SO ORDERED this 2nd day of August, 2011.


Bonita N. Lee
Justice of the Peace


Katharine B. Ross
Justice of the Peace


Beatrice Freel
Justice of the Peace

